

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	CASE NO. C-1-01-541
BUFORD F. HOUCK, et al.,)	
)	Judge Michael H. Watson
Defendants.)	
_____)	

UNITED STATES' MOTION TO AMEND SCHEDULING ORDER

On June 24, 2004, this Court granted the plaintiff United States until November 22, 2004, to file a dispositive motion on its foreclosure claims or to move this Court for a trial date. The United States hereby moves this Court to extend the time in which the United States may file a dispositive motion to foreclose its federal tax liens until 30 days after this Court rules on Magistrate Judge Black's October 5, 2004 Report, which recommended granting the United States' Motion for Partial Summary Judgment. That Motion sought an order finding the federal tax assessments proper in amount and reducing them to judgment.

As good cause for this motion, the plaintiff states that filing a motion for summary judgment to foreclose the United States' federal tax liens on the property in question is premature when the Court has not yet ruled whether the corresponding federal tax assessments are proper in amount and should be reduced to judgment.

WHEREFORE, the United States' prays that this Court amend the Scheduling Order entered June 24, 2004 to extend the time in which the plaintiff United States may file a dispositive motion on its foreclosure claims until 30 days after this Court rules on the United States' Motion for Partial Summary Judgment (Docket # 62).

Respectfully submitted,

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CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing United States' Motion to Amend Scheduling Order was filed electronically this November 22, 2004. Notice of this filing will be sent to all parties that have registered for electronic filing by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. Service was also made by U.S. Mail, postage prepaid, on the following parties:

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